BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Replacement of Part 90 by Part 88 to	)	
Revise the Private Land Mobile Radio	)	
Services and Modify the Policies	)	
Governing Them	)	
	)	
and	)	PR Docket No. 92-235
	)	
Examination of Exclusivity and	)	
Frequency Assignment Policies of	)	
the Private Land Mobile Radio Services	)	

COMMENTS OF
WEYERHAEUSER COMPANY

Weyerhaeuser Company submits these comments in response to the Commission's Further Notice of Proposed Rulemaking ("Further Notice"), released on June 23, 1995 in the above-caption proceeding.

I. Introduction

Weyerhaeuser Company was incorporated in Tacoma, Wash., in January 1900 and is an international forest products company. It is engaged principally in the growing and harvesting of trees; the manufacture, distribution and sale of forest products including logs, wood chips, building products, pulp, paper and packaging products; real estate construction and development; and financial services. Weyerhaeuser employs approximately 38,000 and is the largest private owner of merchantable softwood timber in the world with active stewardship of over 5.5 million acres in the United States. Weyerhaeuser Company is the largest forest products exporter and among the largest exporters in the United States. As one of North America's largest producers of forest products, it is also one of the nation's largest recyclers of office wastepaper, newspaper and paper boxes.

Weyerhaeuser Company appreciates this opportunity to comment on FCC 92-235. The issues raised by this proceeding directly affect Weyerhaeuser. We urge the Commission to proceed carefully as it considers ways to generate revenue and revise the private radio regulations and, therefore the manner in which over twelve million radio transmitters are licensed and the impact of new costs that they would bear.

In general, Weyerhaeuser Company wishes to support and echo the comments on FCC 92-235 provided by Forest Industries Telecommunications.

In addition, Weyerhaeuser has included specific comments and concerns about three principal areas of concern with FCC 92-235:

1. The potential and adverse impact these reforms will likely have on the operation of private radio systems that support both public and private safety.
2. The effect of the three proposals contained in the FCC's FNPRM 95-255 to increase the cost of private radio spectrum and the resultant potential impact on Weyerhaeuser's ability to operate its core businesses economically and efficiently.
3. The potential negative impacts on the forest products industry from the proposed consolidation of the existing Radio Services, including FIT.

II. Safety

Weyerhaeuser people currently use more than 10,000 radios to ensure safety and operations company-wide. More than 470 separate FCC licenses are currently required to operate these radio systems. As a result of this widespread utilization of radios, the outcome of FCC 92-235 will significantly impact Weyerhaeuser Company and the entire forest products industry.

Weyerhaeuser is concerned that the proposals would affect our ability to fully implement the company's safety program and could actually jeopardize the safety of our workers in cases where existing channels become unavailable, or newer more efficient technology such as trunking causes delays in acquiring a channel in an emergency.

The nature of work in the forest products industry, particularly in the timber harvesting operations, has been traditionally hazardous. These risks are substantially reduced by effective implementation of company safety and health programs. Radios are a fundamental component for communicating and for safe operations. Accordingly, our use of the radio spectrum has become essential. Indeed, certain states (Washington and Oregon, which have the strictest Forest Practices Acts in the country) actually *require* the use of radios in forestry operations.

Weyerhaeuser values the availability of communications devices for persons working in remote locations as a key component of our safety process.

While the use of radios in forestry operations is a fundamental tenet of safe operations, in fact the presence of this technology has widespread impacts that extend well beyond industry operations.

A. Public Safety

In many cases, Weyerhaeuser's private radio systems interface with public safety entities.

Weyerhaeuser has repeatedly performed rescue operations for non-forestry related crises. For example, a Weyerhaeuser helicopter captain in Columbus, Miss., was awarded a letter of appreciation for his role in locating and airlifting a seriously injured plane crash victim to a nearby hospital.

Weyerhaeuser is very active in public fire control measures even when there is no direct impact to our company owned timberlands. During the summer of 1994, for example, Weyerhaeuser employees and equipment helped protect affected communities from the rapidly spreading fires in Washington state. This effort depended on coordination activities using two-way radio communications.

B. Private Safety

In addition to Weyerhaeuser Company's commitment to safety, federal and state safety regulations require access to radio communications for safety purposes. However, Weyerhaeuser operates in many remote geographies where commercial wireless services are simply not available, and we therefore acquire and operate private radios as the only available option for our needs.

In Washington state, for example, regulations govern working alone. When a worker works alone in a remote or isolated area, a system must be in place where workers can either report-in periodically, by use of radio or telephone, or receive communications from a designated safety coordinator. (Tilte 296, WAC, Part 54-605, 607)

Similar requirements exist for Oregon, and independent of working alone, the abilities to communicate and report an emergency within 15 minutes are required.

The FCC has proposed that exemptions or reductions with establishment of a user fee be granted to public safety users. Weyerhaeuser Company believes that specific radio systems and/or channels used to support "private safety" and quasi public safety applications justify some measure of priority and/or protection from negative impacts.

If user fees are adopted, PLMR licenses where a portion of the use is for citizen safety should be less than for a full commercial PLMR license. When other laws and regulations mandate the provision of licensed radios in a commercial setting, the laws and regulations must guarantee the availability of operable channels at a reasonable cost.

Weyerhaeuser depends on private radio communications to support safety needs in high-risk field operations, including:

- automatic "man-down" notification in high-noise environments during cutting of standing timber,
- coordinating the movement of downed trees using heavy machinery working in close proximity to our people in harvest settings,
- transporting harvested timber on narrow roads in remote timberlands,
- notification/coordination with internal and external emergency response teams when needed,
- coordination with public safety entities for medical response and/or evacuation,
- coordination with public safety and other government entities for forest fire response and control.
- radio controlled and operated cable logging equipment used in remote locations.

Weyerhaeuser also depends on private radio communications to support safety in high-risk manufacturing operations, including:

- automatic "man-down" notification in high-noise environments in our mills,
- coordinating activities of our people near dangerous industrial equipment such as saws or paper making machines,
- coordinating safe handling and use of toxic materials or chemicals used in manufacturing processes,
- coordinating the movement of heavy machinery and industrial cranes in close proximity to our workers,
- notification/coordination with internal emergency response teams when needed,
- mill-wide notification of serious safety and health events such as chemical spills or releases,
- coordination with public safety entities for medical response and/or evacuation.
- radio controlled and operated cranes, valves, switches, etc. that have direct control over safe operation.

As demonstrated above, Weyerhaeuser commits to providing our workforce with a safe environment and regulations which jeopardize this promise put lives at risk.

IV. Business Concerns

Weyerhaeuser is highly dependent on two-way radio communication, at nearly every company location, to support both safety and production applications. We operate more than 10,000 two-way radio units, most of which are affected by the FCC ruling. Our primary areas of concern include auctions, commercial use of private spectrum, elimination of existing low power industrial (LPI) offset channels, and consolidation of radio services.

A. Auctions

Weyerhaeuser Company is strongly opposed to the use of auctions for private radio spectrum, and recommends that the FCC reject this approach for private land mobile radio spectrum

Auctions increase complexity and administration expenses, given the very large number of different sized geographic service areas, shared channels, and individual users involved. Also, this complexity would cause existing business users to suffer the added cost of competing for the radio channels depended on to sustain operations.

In addition to auctions being disruptive to existing normal and appropriate business uses and users, this approach increases the risk of an existing user actually losing access to channels required for safety and production.

Auctions could also encourage speculation in private spectrum by commercial interests wanting to establish wireless services for service of consumer markets. This may not directly promote efficiency, and could result in inefficient uses, such as "hoarding" of channels. Furthermore, the specific operational priorities and needs of existing businesses dependent on private radio systems would not necessarily be reflected in the priorities of a commercial service provider.

As a result of these concerns, Weyerhaeuser Company recommends the FCC adopt some combination of Exclusive Rights and User Fees, with preference shown to existing spectrum users and existing applications, as currently licensed by the FCC. However, users need flexibility in obtaining licenses. The forest products industry, for example, requires systems which cover large geographies with diverse landscapes. On one tree farm alone, up to 25 of the newly mandated limited radius "radio circles" would be required to assure adequate radio coverage.

B. Commercial use of private spectrum

Weyerhaeuser Company believes that private radio spectrum should not be available to commercial wireless service providers or interests. These interests already benefit from allocated spectrum. Further, commercial wireless services focus on mass consumer markets instead of the specific priorities and needs of industrial and business operations.

Commercial services are not available in many remote locations with small populations, typical of Weyerhaeuser operations. This drives Weyerhaeuser Company to build and operate many private radio systems.

C. User Fees

Weyerhaeuser believes that user fees are the most appropriate way to increase the value of, and costs for the rights to use, private radio spectrum. User fees are easier to understand and administer and can be directly tied to the amount of spectrum used.

This system provides a simple transition for existing users, reducing business uncertainty regarding the availability of spectrum required for safety and operations.

Additionally, user fees can incent efficiency by reducing or waiving fees where users upgrade to more advanced equipment.

In addition, Weyerhaeuser recommends that the FCC should establish a reduced fee structure for "rural" or "remote" coverage areas, such as timberlands and/or geographically isolated manufacturing operations. This guarantees Weyerhaeuser and others the necessary flexibility to operate safely and incents upgrades to more efficient technologies.

D. Geographic Exclusivity

The FCC should consider giving preference to current channel users when granting usage rights under any exclusivity approach. The existing radio services could be retained to administer the exclusivity process and transition activities, including notification of eligible parties.

The FCC should develop a standard sharing agreement (contract) for use by all parties in any exclusivity agreement, and commercial wireless service providers or interests should not participate in exclusivity agreements for private radio spectrum.

E. Retention of LPI channels

The use of LPI radio communications in the wood products and paper mill environments has become an essential part of everyday business operations. As we set and strive to achieve new goals in employee safety, we find that the radio is an invaluable tool to aid in this endeavor.

All of the Weyerhaeuser mill sites are finding increasing numbers of uses for radio communications, from major construction projects, daily maintenance functions such as mobile crane operations, first response in case of accidents, control of production line flow, to train yard switching where isolated channels with the system integrity and minimum interference is a necessary part of daily routine.

Most mills use a number of low power offset channels today and see future needs increasing. We are concerned that the reduction or possible elimination of these channels

will deteriorate the quality of our communication systems, especially in highly industrialized areas where alternative forms of communications may not be reliable or interference free.

Our recommendation is to have the existing channel assignments "grandfathered" and maintained at their current level. The FCC, therefore, should allow "Low Power Industrial" users to gain primary rights to operate on currently assigned offset channels.

IV. Consolidation of radio services

The FCC should not consolidate the existing industry-specific radio services, however, Weyerhaeuser recognizes that the FCC prefers this approach.

Therefore, Weyerhaeuser Company supports and echoes the comments on this matter (the Consolidation Plan) filed by the Coalition of Industrial and Land Transportation Radio Users, including the forest products industry-specific radio service, FIT.

Weyerhaeuser believes the current system of frequency coordination through industry-specific radio services is working well due to the combined values of industry-specific channel allocations, user representative frequency coordinators and existing abilities to accomplish inter-service sharing. These values should be preserved by the FCC in whatever frequency coordination system ultimately adopted.

Currently, the forest products industry is represented by a forest products knowledgeable frequency coordinator. This function is vital for management of the unique needs of our industry. Operations in our timberlands typically cover very wide geographical areas with diverse landscapes. For example, our Cascade Tree Farm in Washington is characterized by steep hills and valleys.

By merging radio service coordinators, Weyerhaeuser is concerned that our unique operational requirements will not be adequately represented or addressed.

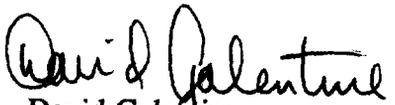
If current services are consolidated by FCC, at least one new service should be created to meet needs of resource companies and other industries with unique geographical needs, such as forest products, petroleum, power utility, railroads, etc. The Consolidation Plan filed by the Coalition of Industrial and Land Transportation Radio Users provides for such a service.

In addition, the current radio services should be retained over a five to ten year transition period, to assist existing private radio users in moving toward the new regulatory and operating environment that will result from FCC92-235. This will increase flexibility for users and allow incoming "consolidated" frequency coordinators adequate time to become familiar with the various industry-specific needs of the private radio users they represent.

Finally, as the radio services are consolidated, the FCC transition plans should define at least as many "low power offset" channels as currently exist in the current services and spectrum allocations. This preserves our ability to operate existing systems for safety and production. As stated earlier, low power users already use spectrum efficiently.

Thank you again for this opportunity to provide comments. If you have additional questions, feel free to call me at (206) 924-4545.

Respectfully Submitted by:



David Galentine
Manager, Wireless